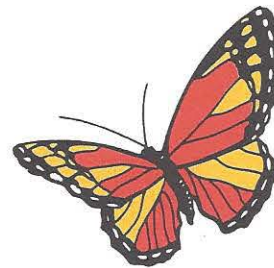


CLLEAN

CITIZENS FOR LOWRY LANDFILL ENVIRONMENTAL ACTION NOW

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January 27, 2017

Amelia Piggott
General Attorney
Region 8
U.S. Environmental Protection Agency
1595 Wynkoop St.
Denver CO 80202

Delivered via email Piggott, Amelia [Piggott.Amelia@epa.gov]

RE: EPA Region 8 and CDPHE Community Involvement Coordinators Misleading the Public During EPA Interviews for the 2017 Lowry Landfill Superfund Site 5 Year Review

Dear Ms. Piggott:

CLLEAN has been contacted by some of the private citizens who have been interviewed for the 2017 5 Year Review for Lowry Landfill Superfund Site by EPA Community Involvement Coordinator Katherine Jenkins and Colorado Department of Human Health and Environment Public Involvement Coordinator Jeannine Natterman.

They reported that when they asked Ms Jenkins about CLLEAN's claim that Denver and Waste Management had manipulated Site data regarding the protectiveness of the Site, Ms. Jenkins answered them by implying that there was no problem with the groundwater data, just the statistics, which have been fixed. She does not have the technical knowledge to understand that the groundwater data is not accurate because Denver and Waste Management are injecting potable water near the compliance wells, which results in inaccurate numbers for the Site. It was made to sound as though CLLEAN's claims were invalid. CLLEAN has provided the interviewees with a copy of the letter written by EPA Headquarters Scientist Deanna Crumblin that lists the examples of manipulated numbers by EMSI and then lists the true numbers showing that LLSF Site is Out of Compliance.

The interviewees also told us that Ms. Jenkins recommended the EPA Web Site if they needed more information.

CLLEAN is extremely concerned that EPA Region 8 continues to promote inaccurate and misleading information for public consumption. CLLEAN's two primary concerns are:

First, Ms Jenkins is new to the LLSF Site and is not yet educated on all of the issues. In fact, it will probably take years for her to come up to speed. She is not technically capable of answering a technical question as to if the “Stats” produced by EMSI are accurate or not. The appropriate response would have been for Ms. Jenkins and Ms. Natterman to write down the person’s name and their question, then assure the citizen that EPA RPM Les Sims and Project Manager Lee Pivonka would respond.

Secondly, Ms. Jenkins is referring interviewees to the EPA LLSF Site Website giving the impression that the information on the site is up-to-date and accurate.

CLLEAN finds this to be more than misleading, it appears to CLLEAN that EPA is attempting to cover up the very real threats to the public and the environment by referring the public to old, incomplete and inaccurate information.

EXAMPLES

EPA “*Site Information for Lowry Landfill*”, does not include any information regarding the off-site 1,4-dioxane plume. The article assures the reader that there is “long term monitoring and institutional controls” when the reality is that there are no off-site institutional controls. Off-site institutional controls, in many ways, are more important because they would give Planners for new developments the information needed to preclude possible negative impacts to new developments and the inhabitants.

The *September 2013 “Lowry Landfill Superfund Site Update Announcement”*, has not been updated since 2013 – and includes the following misconceptions:

- “Waste Management have worked to clean up contaminated groundwater that had the potential to migrate off site.”
- **This is a misleading and an incorrect statement – contaminated groundwater has already migrated offsite, and little effort has been put forth to stop it.**
- The EPA completed its most recent five-year review of the site in September 2012. The review determined that the remedy is functioning as intended and protective of human health and the environment.”
- **Misleading and incorrect – This statement misses the comments from both CLLEAN and CDPHE regarding the 5 Year Review. EPA Headquarter Scientists reviewed and disputed the 2012 O&M Reports and challenged EMSI data and stats. In addition, changes in the 1,4-dioxane limits have created a situation where the previous 5 Year Review is no longer applicable to Site conditions. This fact is not provided anywhere on the EPA Website.**
- Monitoring performed between 2003 and 2006 detected the organic chemical 1,4-dioxane and nitrates in shallow monitoring wells due north of the north boundary barrier wall. 1,4-dioxane was detected in groundwater as far as 2.4 miles north of the barrier wall. EPA evaluated the health risk associated with public exposure to these chemicals at the concentrations detected and found no significant health risk associated with either surface water or groundwater.

- **Misleading and incorrect – Does not properly characterize the data and understates the risk with no documentation to back the statement up – EPA is only just now, 2017, beginning to study the health affects of 1,4-dioxane. This statement indicates that the issue is exclusive to the wells monitored, not the region the wells were intended to monitor. In addition, the new 1,4-dioxane standards now dictate the extent of the issue to be considered is likely larger and deeper.**
- **“The shallow groundwater is not used for drinking water.”**
- **Misleading and incorrect, CLLEAN has identified and notified EPA and CDPHE of some shallow (50’) domestic wells located directly in the flow of the 1,4-dioxane. To date, EPA has refused to test the well or to require Denver and Waste Management to investigate the size and extent of the plume, and to identify shallow wells that might be impacted by the plume.**

CLLEAN is requesting that EPA Region 8 “clean up their act” and assure the public that all recommendations for information made to the public by EPA and CDPHE assure that the recommended sources are complete and accurate. CLLEAN believes that the EPA Web Site for LLSF Site should be taken down and not put back up for public review until there is accurate and verifiable information on it. CLLEAN believes that it is in the best interest of the public that non-technical, uninformed Federal and State employees refer all questions posed by the public to the technical scientists who can answer the questions correctly – that would be – EPA RPM Leslie Sims and Site Project Manager Lee Pivonka.

Thank you for your attention to these very important issues.

Sincerely,



Bonnie L. Rader

Distribution List

Steve Wharton, EPA Region 8 Superfund Unit Chief
 Jennifer Robbins, Colorado Attorney General Office
 Leslie Sims, EPA Region 8 RPM
 Lee Pivonka, LLSF Site Project Manager